

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

TAMMY KITZMILLER; BRYAN AND
CHRISTY REHM; DEBORAH
FENIMORE AND JOEL LIEB; STEVEN
STOUGH; BETH EVELAND; CYNTHIA
SNEATH; JULIE SMITH; AND ARALENE
("BARRIE") D. AND FREDERICK B.
CALLAHAN,

Plaintiffs,

vs.

DOVER AREA SCHOOL DISTRICT;
DOVER AREA SCHOOL DISTRICT
BOARD OF DIRECTORS,

Defendants.

No. 04-cv -2688

Judge Jones

(Filed Electronically)

PLAINTIFFS' UNOPPOSED MOTION FOR AN
EXTENSION OF TIME TO FILE THEIR BRIEF IN OPPOSITION
TO DEFENDANTS' MOTION TO DISMISS

The above-captioned plaintiffs, by their undersigned attorneys, move
for an extension of time to file their brief in opposition to defendants' motion to
dismiss on the following grounds:

1. On January 28, 2005, defendants filed a motion to dismiss certain plaintiffs, and the state law claims of all plaintiffs, with a supporting brief.

2. Pursuant to Local Rule 7.6, plaintiffs' brief in opposition to defendants' motion is due February 15, 2005.

3. For reasons unrelated to this litigation, plaintiffs require a short extension of time to file their brief in opposition.

4. Defendants have agreed to extend to Friday, February 18, 2005, the deadline for plaintiffs' brief in opposition.

5. The requested extension of the time to file plaintiffs' brief in opposition will not affect the oral argument on defendants' motion, which has been set for February 28, 2005. *See* Order dated February 4, 2005.

WHEREFORE, plaintiffs ask the Court to extend the deadline for filing their brief in opposition to defendants' motion to dismiss to February 18, 2005.

Respectfully submitted,

/s/ Thomas B. Schmidt, III

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FREDERICK B. CALLAHAN

Dated: February 14, 2005

CERTIFICATE OF CONCURRENCE

I hereby certify that an attorney for defendants was advised of the foregoing motion, and advised that defendants do not oppose it.

Date: February 14, 2005

/s/ Thomas B. Schmidt, III
Thomas B. Schmidt, III (PA 19196)

CERTIFICATE OF SERVICE

I hereby certify that on February 14, 2005, a copy of the foregoing
Plaintiffs' Unopposed Motion for an Extension of Time to File Their Brief in
Opposition to Defendants' Motion to Dismiss should be served on the following
counsel, as follows:

Via electronic case filing system

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